

at Tacoma, Wash., alleging that the article had been shipped in interstate commerce on or about January 13, 1936, by Swift & Co., from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance, containing portions of insects.

On June 8, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25790. Adulteration and misbranding of relish, and misbranding of mayonnaise and salad dressing. U. S. v. 2 Cases of Relish, and other libels. (F. & D. nos. 37198, 37200, 37207, 37208. Sample nos. 53120-B, 53121-B, 53122-B, 53123-B.)

Examination of these products showed that they were short in volume, and that the relish was undergoing active decomposition.

On February 14, 1936, the United States attorney for the Western District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 85 jars of salad dressing at Lancaster, S. C. On or about February 24, 1936, libels were filed against two cases of relish at Cheraw, S. C., four cases of mayonnaise, and nine cases of salad dressing at Bennettsville, S. C. The libels alleged that the articles had been shipped in interstate commerce in part on or about November 18, 1935, and in part on or about January 13, 1936, by the S. & S. Mayonnaise Manufacturing Co., from Winston-Salem, N. C., that they were misbranded, and that the relish also was adulterated in violation of the Food and Drugs Act as amended. The articles were labeled: "Ladyette Brand Relish" [or "Mayonnaise" or "Dressing for Salad"] * * * Ladyette Mfg. Co. * * * Winston-Salem, N. C." The quantity of the contents was declared on the labels of the salad dressing "1 Quart", "1 Pint", or "½ Pint", and on the labels of the remaining products "½ Pint."

The relish was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

The products were alleged to be misbranded in that the statements on the labels, "1 Quart", "1 Pint", or "½ Pint", were false and misleading and tended to deceive and mislead the purchaser, and for the further reason that they were food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was not correct.

On March 24 and 25, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25791. Misbranding of vanilla flavoring. U. S. v. 44 Dozen Bottles and 982 Bottles of Vanilla Flavoring. Default decrees of condemnation and destruction. (F. & D. nos. 37205, 37206. Sample nos. 52190-B, 54629-B.)

These cases involved an interstate shipment of so-called vanilla flavoring which was represented on the label to contain vanilla derivatives when it contained a small quantity of or no vanilla derivatives, and which was an imitation vanilla flavoring and was not plainly labeled as such. The bottles containing one lot of the article were short in volume.

On February 17, 1936, the United States attorneys for the Western District of New York and the Northern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the respective district courts libels praying seizure and condemnation of 982 bottles of so-called vanilla flavoring at Buffalo, N. Y., and 44 dozen bottles of the same product at Youngstown, Ohio, alleging that the article had been shipped in interstate commerce on or about August 22 and December 14, 1935, by the Pennex Products Co., from Pittsburgh, Pa., and that it was misbranded in violation of the Food and Drugs Act. The article was labeled: "Imitation Vanilla Flavoring Coumarin-Caramel Color Other Vanilla Derivatives." A portion was further labeled: "Red Top Brand 3 Fl. Ozs. * * * Pennex Products Co. Pittsburgh, Pa." The remainder was further labeled: "Thrifton Brand 8 Fl. Oz * * * Prepared for Danahy-Faxon Stores, Inc."

The article was alleged to be misbranded in that the statements, "Vanillin-Coumarin-Caramel Color Other Vanilla Derivatives", borne on the label, were false and misleading and tended to deceive and mislead the purchaser when applied to an article which contained little or no vanilla derivatives; and in